

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

KENNETH PITTS,

Plaintiff,

v.

Civ. No. 23-120 WJ/SCY

SAN JUAN COLLEGE,

Defendant.

**ORDER REGARDING COMMUNICATION WITH THE COURT**

In recent weeks, Judge Yarbrough's chambers has received numerous phone calls from pro se Plaintiff requesting legal advice on how to prosecute his case. The Court hereby reminds Plaintiff of the following restrictions regarding communications with the Court:

Attorneys and *pro se* parties are prohibited from all *ex parte* communication with the judge or judge's staff. *Ex parte* communication occurs when one of the parties to a lawsuit exchanges information with the assigned judge (1) without the opposing party being present, or (2) without the knowledge and consent of the opposing party.

Any communication between the assigned judge and a *pro se* litigant should be in writing, and a copy of the communication should be sent to the opposing party or, if represented, to that party's attorney. The letter to the judge should indicate that a copy has been sent to the opposing party.

Guide for Pro Se Litigants at 11, United States District Court, District of New Mexico (October 2022), *available at* <https://www.nmd.uscourts.gov/sites/nmd/files/ProSePackage.pdf>.

Unless otherwise directed, all communication to the court should be addressed to the Clerk of Court, United States District Court, District of New Mexico, using the address for the division [Albuquerque] where the subject case has been assigned.

Guide for Pro Se Litigants at 5 (providing the Albuquerque, Las Cruces and Santa Fe addresses).

Certain communications are excepted from this rule. In this case, however, Plaintiff has initiated numerous calls on topics that should not be ex parte discussions. Therefore, unless the Court initiates the communication to Plaintiff, Plaintiff should refrain from calling the judge's

chambers to ask for advice. Plaintiff may contact the Clerk of Court at (505) 348-2000 with administrative questions or questions about the electronic filing system.

**IT IS SO ORDERED.**

  
**UNITED STATES MAGISTRATE JUDGE**